## INGLEWOOD, CALIFORNIA



Website: www.cityofinglewood.org

## CITIZEN POLICE OVERSIGHT COMMISSION MEETING January 19, 2005 6:30 P.M.

# Community Room, First Floor City Hall MINUTES

## **Members Present:**

Vice Chairperson Nannette Marchand Commissioner Curlee Ross Commissioner Ozell Butler Commissioner David P. Stewart Commissioner Adrianne Sears Commissioner Rita Hall Commissioner Gerald Thompson

## **Members Absent:**

Chairperson Wayne Spencer (excused) Commissioner Joy Brown-Price (excused)

## **Staff Present**

Deputy City Administrator Lawrence Kirkley - Administration Pam Egans-Secretary Kathy Ares - Administration Staff

## **CALL TO ORDER**

The meeting was called to order at 6:40 p.m. by Chairperson Nannette Marchand. A quorum was present.

#### INVOCATION

The invocation was led by Commissioner Ozell Butler.

## **APPROVAL OF MINUTES**

Vice Chairperson Marchand, chairing the meeting in Chairman Spencer's absence, made a motion to approve the minutes of the November 17, 2004 meeting. Commissioner Ross seconded the motion.

#### MOTION CARRIED

## PUBLIC COMMENTS REGARDING AGENDA ITEMS

No members of the public were present.

#### **ACTION ITEMS**

- 1. Consideration of proposed By-Laws
- 2. Consideration of proposed Policies and Procedures

Vice Chairperson Marchand stated that since the meeting scheduled for Saturday, December 11, 2004 did not take place, the discussion of By-Laws and Policies and Procedures was now open.

Deputy City Administrator Kirkley suggested that two hours be used to cover one of the Action Items, and the other could be tabled for another meeting.

Vice Chairperson Marchand suggested that another Saturday be scheduled to get through both the By-Laws and Policies and Procedures. The Commissioners were in agreement.

By consensus the meeting was set for Saturday, February 5, 2005 from 9:00 a.m. to 1:00 p.m. in the Community Room.

Commissioner Sears indicated that she would like to discuss the recent judgment concerning the Inglewood Police abuse case.

Deputy City Administrator Kirkley informed the Commissioners that since it was not a published agenda item it could only be discussed if adopted as an emergency item. Deputy City Administrator Kirkley explained the procedure and requirements as stated in the Brown Act.

The item was moved, seconded and approved as an emergency item.

The item was moved, seconded and approved to be added to the agenda as Action item 3.

## EMERGENCY ITEM #3 - DISCUSSION OF SETTLEMENT AMOUNT AWARDED TO INGLEWOOD POLICE OFFICERS

Vice Chairperson Marchand opened discussion on Item #3.

Commissioner Sears asked Deputy City Administrator Kirkley for feedback, from his perspective, on how people felt about the verdict. Deputy City Administrator Kirkley stated that the City Council would be considering whether to appeal the judgment at their next council meeting. Some commissioners felt that they would like to get more details and possibly communicate with the City Council on the matter.

Commissioner Stewart asked if there was information the Commission could obtain about the case, so that they have more information, before going to City Council to ask for an appeal.

Commissioner Hall asked if there was due process before Jeremy Morse was terminated.

Deputy City Administrator Kirkley stated that the Commissioners could make a request to have the Chief of Police and/or the City Attorney come to a Commission meeting to discuss those portions of the details that they felt were not confidential. The trial is public record, which means that it does not prohibit any citizen from obtaining information.

Deputy City Administrator Kirkley stated that in order to act as a body before the City Council deliberated on the matter at Tuesday's meeting, the Commission would have to have a special meeting to consider any action unless they were prepared to do so today.

Deputy City Administrator Kirkley informed the Commissioners that as an alternative to acting as a body and having to have a special meeting they could call their Councilperson individually and express their opinions regarding the issues. Secondly, the Commissioners could go to the City Council meeting on Tuesday at 6:00 p.m. and speak before the closed session to make their individual feelings known.

Commissioner Sears asked Deputy City Administrator Kirkley if there were transcripts available for the Commissioners to review.

Deputy City Administrator Kirkley stated that there are transcripts and they could be obtained, however, that they would be far too voluminous for the average person to read and would definitely not be available prior to Tuesday's Council Meeting.

Commissioner Ross stated that he wanted the Commission to find out what the City did wrong to lose the case.

Commissioner Hall indicated that quite possibly there was a problem with due process and that the Police Department's Suspension and Termination Policies could be obtained for the Commission's review.

Commissioner Stewart asked if information regarding the case is public record and could the information be gathered and sent to each Commissioner.

Deputy City Administrator Kirkley stated that he would attempt to get a summary of the case and forward a copy to each Commissioner.

Commissioner Butler stated that if the Police Internal Affairs Unit did not follow the proper steps to terminate the Officer (Morse), the Police Union had a right to find errors on the City's behalf.

Deputy City Administrator Kirkley stated that he would try and obtain as much information as possible about the case, so they can be well informed to address members of the community that will ask questions about the case.

Commissioner Thompson inquired as to how award amounts are decided.

Commissioner Hall stated that there are a number of ways the award could have been assessed and it would be difficult to determine how the award amount was decided.

The Commission consensus was that they would like to have copies of the discipline policies, and briefings by the City's attorney and the Chief of Police, if possible, prior to the Tuesday Council Meeting.

Vice Chairperson Marchand made the motion to that effect. It was seconded by Commissioner Stewart.

#### MOTION CARRIED UNANIMOUSLY.

Deputy City Administrator Kirkley stated that he believed that the discipline policies were available and, if so, he could obtain copies for distribution to the Commissioners by Thursday, January 20, 2005, and also attempt to coordinate meeting dates with City Attorney and Chief of Police.

Commissioner Sears suggested that the Commission try and meet on Saturday, January 22, 2005; however the majority of Commissioners were not available.

Deputy City Administrator Kirkley stated that based on the Brown Act, a special meeting of the Commission needs at minimum a 48 hour public notice.

## PUBLIC COMMENTS REGARDING OTHER MATTERS

No members of the public were present.

### **COMMITTEE MEMBER REMARKS**

Commissioner Stewart asked if a policy could be established that relates to adding items to an existing agenda.

Deputy City Administrator Kirkley replied that the Chair can add policies, but they must be in compliance with Roberts Rules of Order.

Vice Chairperson Marchand suggested that Attorney John Burris provide training to Commissioners. Attorney Burris has represented a number of cases similar to the case involving Donovan Jackson and former Officer Jeremy Morse.

Deputy City Administrator Kirkley stated that he would check into funding sources and try to obtain Attorney Burris as a speaker for one of the Commissioner's training sessions.

Vice Chairperson Marchand inquired about the status of Councilman Morales' Police Commissioner appointees. Currently there are no Commissioners appointed to represent District 3.

Deputy City Administrator Kirkley did not know current status, but would find out.

Commissioner Hall invited all Commissioners to attend the Law Enforcement Appreciation Awards being held at West Angeles Church on February 20, 2005 at 8:00 a.m. and 11:00 a.m. Chief Banks is an award recipient.

#### **ADJOURNMENT**

The meeting adjourned at 7:40 p.m.